

Minutes – Business Meeting – Board of Education – New Paltz Central High School – April 6, 2011 – 7:00 PM

CALL MEETING TO ORDER

CALL TO ORDER

Meeting was called to order at 6:04 PM by Don Kerr, Board President.

BOARD MEMBERS PRESENT: Kathleen Tobin Flusser
Steven Greenfield (arrived at 6:06 PM)
Donald Kerr
Patrick Rausch
Robert Rich
Edgar Rodriguez
Daniel Torres

QUORUM CHECK

ALSO PRESENT: Maria Rice, Superintendent of Schools
Richard Linden, Assistant Superintendent for Business

ROLL CALL - As reflected above.

ROLL CALL

EXECUTIVE SESSION

EXECUTIVE SESSION

Motion made by Mr. Torres and seconded by Dr. Rodriguez that the Board of Education move into Executive Session at 6:04 PM for the purpose of discussing the employment history of particular individuals, discussing contract negotiations, collective bargaining agreements, and discussing the school history of particular students in accordance with their FERPA rights. Motion carried 6 - 0 with 6 members voting. Mr. Greenfield was not yet present during voting.

Out of Executive Session - Motion made by Mr. Rich and seconded by Mr. Greenfield that the Board return to Public Session at 6:58 PM. Motion carried 7 - 0 with 7 members voting.

CALL TO ORDER

CALL TO ORDER

The Public Meeting was called to order at 7:06 PM by Donald Kerr, Board President.

BOARD MEMBERS PRESENT: Kathleen Tobin Flusser
Steven Greenfield
Donald Kerr
Patrick Rausch
Robert Rich
Edgar Rodriguez
Daniel Torres

QUORUM CHECK

ALSO PRESENT: Maria Rice, Superintendent of Schools
Debora Banner, Assistant Superintendent
Richard Linden, Assistant Superintendent for Business
Connie Hayes, Assistant Superintendent for Pupil Personnel Services
Barbara Clinton, Principal, New Paltz Central High School
Richard Wiesenthal, Principal, New Paltz Middle School
Debra Hogencamp, Principal, Duzine Elementary School
Antonia Woody, Director of Physical Education, Health, Athletics & Health Services
Maureen Ryan, Director of Transportation
Michael Robinson, Director of Food Services
Stephen J. Callahan, Director of Facilities & Operations
Elena Maskell, District Clerk
Members of the Public and Press

ROLL CALL - As reflected above.

ROLL CALL

PLEDGE TO THE FLAG

PLEDGE

AGENDA CHANGES

AGENDA CHANGES

Motion made by Mr. Torres and seconded by Mr. Rich to approve the following agenda changes:

BOARD COMMUNICATIONS:

REMOVE Under Board Communications all Committee Reports.

PERSONNEL:

REMOVE in its entirety existing Personnel Agenda Item **11.1**:

EDIT existing Personnel Agenda Item **11.2** to read the following:

11.2 Instructional Resignations – Purposes of Retirement

Recommendation – that the New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby accept the resignation of the following instructional employees for purposes of retirement pending mutually approved SMOA for retirements by the New Paltz Central School District Board of Education and the New Paltz United Teachers:

Name	Title	Effective Date
Maryann Antonelle	School Counselor	6/30/11
Margaret Decker	School Library Media Specialist	6/30/11
Eileen Graves	Elementary Teacher	6/30/11
Liz Krivda	School Nurse	6/30/11
Brian Nagle	Elementary Teacher	6/30/11
Lynn Orcutt	School Nurse	6/30/11
Kathleen Puntar	Occupational Therapist Assistant	6/30/11
Carole Ryan	Special Education Teacher	6/30/11

FINANCIAL REPORTS:

REMOVE Under Financial Reports all Treasurer’s Reports and Budget Transfer Schedules.

All in favor with none opposed. Motion carried 7-0.

SPOTLIGHT ON PROGRAM: “RHYME TIME” with Iva Profaci’s Pre-K Students

RECOGNITION

- Duzine/Lenape PTA – Laura Trifilo, President
- Middle School PTA – Dawn Rich, President
- High School PTSA – Marybeth Majestic, President

PUBLIC COMMENTS

PUBLIC COMMENT

Cathleen Stackelrodt	New Paltz
Delaney Talafero	New Paltz
Ella Blue Schwartz	Esopus
Linda Sutton	Red Hook, VP NPUT
Barbara Carol	Esopus
Joe Storch	New Paltz
David Dukler	Gardiner
Ron Simon	New Paltz
Eric Schwartz	Esopus
Laura Trifilo	Gardiner, Duzine/Lenape PTA President
Sheri Osborn	New Paltz
Jessica Perez	New Paltz
Steve Bagley	New Paltz
Nikki Koenig Nielson	New Paltz (Emailed comments read aloud by District Clerk)

SUPERINTENDENT'S REPORTS & DISCUSSION ITEMS

SUPT REPORT

SUPERINTENDENT COMMENTS

Superintendent Rice noted that one of our bus drivers Ismael “Izzy” Escanio has placed as a finalist in the Ulster County Safety Initiative – Bus Driver of the Year. Superintendent Rice noted a planning committee has been working to create an educational foundation. Bylaws have been created and they are in the process of getting incorporated. Superintendent Rice read the names of the Board of Directors and they are moving forward with the foundation.

SUPERINTENDENT REPORTS

2011-2012 FINAL BUDGET PRESENTATION – Maria C. Rice and Richard Linden

Discussion ensued.

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Maureen Ryan was asked to establish how many buses were needed. Ms. Ryan stated two large and two small non-wheelchair buses. There was an agreement by the Board to add a separate proposition to the Annual Election ballot for two large and two small buses.

STATE AID, FUND BALANCE, AND RESERVES – Richard Linden

Mr. Linden spoke of Capital Reserves, Repair Reserves, Employee Benefits Reserves, Unemployment Reserves, and Reserves for Encumbrances. He also spoke of the Special Aid Fund, Capital Fund, Debt Service and Unreserved Fund Balances. He explained each reserve, fund balance and State aid and gave amounts from the PowerPoint Presentation.

Discussion ensued regarding allocating the State Aid.

Motion made by Mr. Rausch and seconded by Mr. Torres to use 75% of the money toward restoring program and 25% of the money toward the fund balance. The Administrative Team was directed to provide the Board with suggestions on allocating the funds. All in favor with none opposed. Motion carried 7-0.

BOARD COMMUNICATIONS

BOARD COMMUNICATION

STATE ISSUES CONFERENCE REPORT – Mr. Greenfield, Mr. Rausch and Ms. Tobin Flusser attended the State Issues Conference and they all spoke about their experiences at the conference. The Board members were disappointed in the issues and outcomes at the conference.

Motion made by Mr. Rich and seconded by Mr. Torres to hold a special meeting on Tuesday April 12, 2011 in the Audion depending on availability. Mr. Rausch noted he would not be available until 8:30. The public meeting will start at 9:00 PM.

COMMITTEE REPORTS – Removed from Agenda

MINUTES OF MEETING

MINUTES

Motion made by Mr. Torres and seconded by Mr. Rich that the Board of Education approve the following resolution: BE IT RESOLVED that the New Paltz Central Schools Board of Education accept the minutes of the March 24, 2011 Regular Business Meeting. Motion carried 7 - 0 with 7 members voting.

PERSONNEL (CONSENT AGENDA)

PERSONNEL

Motion made by Mr. Torres and seconded by Ms. Tobin Flusser that the Board of Education approve the following personnel (consent agenda) resolutions: 11.2 through 11.9:

11.1 Removed from the Agenda in its entirety

Motion made with best wishes and appreciation for the service of the members below.

11.2 Instructional Resignations – Purposes of Retirement

Recommendation – that the New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby accept the resignation of the following instructional employees for purposes of retirement pending mutually approved SMOA for retirements by the New Paltz Central School District Board of Education and the New Paltz United Teachers:

Name	Title	Effective Date
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Liz Krivda	School Nurse	6/30/11
Brian Nagle	Elementary Teacher	6/30/11
Lynn Orcutt	School Nurse	6/30/11
Kathleen Puntar	Occupational Therapist Assistant	6/30/11
Carole Ryan	Special Education Teacher	6/30/11

11.3 Board Appointment

BE IT RESOLVED, that the Board of Education appoint the following individual to the designated Board appointment of Chairperson of the Annual Meeting and Election effective through the Organizational Meeting of the Board of Education, July 2011:

Name	Title
Susan Popieluszko	Chairperson

religious organizations in accordance with law. Groups wishing who wish to use the school facilities must secure written permission from the Superintendent must submit a district Facilities Use Form in order to receive approval by the New Paltz Central School District. Groups must and abide by the rules and regulations established for such use including restrictions on alcohol, tobacco and drug use. The Superintendent, at his/her discretion, may consult with the Board of Education.

Excepted from this policy is the Floyd A. Patterson Field Complex.

Materials and Equipment

Except when used in connection with or when rented under provisions of Education Law Section 414, school-owned materials or equipment may be used by members of the community or by District employees and/or students for school related purposes only. Private and/or personal use of school-owned materials and equipment is strictly prohibited.

The Board will permit school materials and equipment to be loaned to staff members when such use is related to their employment and loaned to students when the material and equipment is to be used in connection with their studies or extracurricular activities. Community members will be allowed to use school-owned materials and equipment only for educational purposes that relate to school operations.

Administrative regulations will be developed to assure the lender's responsibility for, and return of, all such materials and equipment. Users may be charged for damaged and/or unreturned equipment and materials.

Specific Requirements Relating to Boy Scouts and other Title 36 Patriotic Youth Groups

The Boy Scouts Act applies to any local educational agency (LEA) that has a designated open forum or limited public forum and that receives funds made available through the U.S. Department of Education (DOE). It applies to any group officially affiliated with the Boy Scouts of America or any other youth group designated in Title 36 of the United States Code as a patriotic society.

This statute provides for the following:

- a) No covered entity (elementary school, secondary school or LEA) shall deny equal access or a fair opportunity to meet, or discriminate against any group affiliated with the Boy Scouts of America or any other Title 36 patriotic youth group that requests to conduct a meeting within the covered entity's designated open forum or limited public forum.
 - 1. A designated open forum exists when the school designates a time and place for one or more outside youth community groups to meet on school premises or in school facilities, including during the hours in which attendance at the school is compulsory, for reasons other than to provide the school's educational program.
 - 2. A limited public forum exists when the school allows one or more outside youth or community groups to meet on school premises or in school facilities before or after the hours during which attendance at the school is compulsory.
- b) No covered entity shall deny access or opportunity or discriminate for reasons including the membership or leadership criteria or oath of allegiance to God and country of the Boy Scouts of America or of the Title 36 patriotic youth group.
- c) Access to facilities and the ability to communicate using school-related means of communication must be provided to any group officially affiliated with the Boy Scouts of America or any other Title 36 patriotic youth group on terms that are no less favorable than the most favorable terms provided to other outside youth or community groups.

The statute applies regardless of the entity's authority to make decisions about the use of its own school facilities. However, no entity is required to sponsor any group officially affiliated with Boy Scouts or any other Title 36 patriotic youth group.

The obligation to comply with the Boy Scouts Act is not obviated or alleviated by any State of local law or other requirement.

(Continued)

COMMUNITY USE OF SCHOOL FACILITIES, MATERIALS AND EQUIPMENT (Cont.)

20 United States Code (USC) Section 7905

36 United States Code (USC) Subtitle II

34 Code of Federal Regulations (CFR) Parts 75, 76 and 108

Education Law Section 414

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property

#5640 -- Smoking/Tobacco Use

#7310 -- Code of Conduct

#7320 -- Alcohol, Tobacco, Drugs and Other Substances (Students)

#7410 -- Extracurricular Activities

District Code of Conduct on School Property

Adopted: 7/16/08

Mr. Greenfield spoke regarding Title 36 and definition of Patriotic Youth Groups. Discussion ensued. Mr. Kerr called the question. Three members voted to approve the policy as presented: Mr. Rausch, Mr. Kerr, and Mr. Rich. Four members opposed the motion: Dr. Rodriguez, Mr. Torres, Mr. Greenfield, and Ms. Tobin Flusser. Motion was defeated.

NEW BUSINESS

NEW BUSINESS

Motion made by Mr. Rich and seconded by Mr. Torres that the Board of Education approve the following resolution:

12.2 Request for Approval of the Revised 2011-2012 School District Calendar

Recommendation – that the Board of Education, upon the recommendation of Superintendent Maria C. Rice, does hereby approve revisions to the 2011-2012 School District Calendar as presented. Six were favor with one opposed. Motion carried 6-1. Dr. Rodriguez was opposed.

13. **NEW BUSINESS**

Motion made by Mr. Torres and seconded by Mr. Rich to approve the following New Business Consent Agenda Resolutions 13.1, 13.2, 13.5, 13.6, and 13.7

13.1 Request for Approval of Committee on Special Education Recommendations and Student Placements

Recommendation - that the following resolution be approved: BE IT RESOLVED, that the Board of Education of the New Paltz Central School District approve the Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE) recommendations and student placements: 355, 9615, 12364, 10911, 9127, 9176, 9599, 9406, 9135, 9302, 9133, 8858, 2611, 12396, 9167, 9301, 9592, 9312, 9123, 1805, 10155, 8198, 9319, 11170, 9824, 9609, 8260, 9124, 9602, 9292, 9834, 10810, 11333, 9394, 10481, 9182, 11332, 10141, 10012, 10093, 10032, 9907,10030,10110,9912, 10210, 10096, 10081, 10043, 10582, 9913, 12436, 10416, 11036, 10979, 11465, 12437, 11372.

13.2 Request for Approval of Health & Welfare Contract – Pine Bush Central School District 2010-2011

Recommendation – that the following resolution be approved: BE IT RESOLVED that the Board of Education approve the Health and Welfare Contract, forwarded under separate cover, for Pine Bush Central School District for a total amount of \$1,407.74 for the 2010-2011 school year for two (2) children who are residents in the New Paltz Central School District attending a school in the Pine Bush Central School District.

13.5 Request for Approval of SEQRA - Type II Negative Declaration Emergency Projects Resolution

Recommendation – that the following resolution be approved: BE IT RESOLVED that the Board of Education of the New Paltz Central School District, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby approve the following SEQRA – Type II Negative Declaration Emergency Projects Resolution:

WHEREAS, the Board of Education of the New Paltz Central School District has an emergency project, which involves replacing the sand filter distributors at the existing septic system for the New Paltz High School and

WHEREAS, the Board of Education wishes to comply with the requirements of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Board of Education has reviewed the proposed Scope of Work; and

WHEREAS, the Board of Education has consulted with its Architects with respect to the potential for environmental impacts resulting from the Proposed Action; and

WHEREAS, the Board of Education has reviewed the Proposed Action with respect to the Type II criteria set forth in the SEQRA Regulations at 6 NYCRR Part 617.5 and has determined that the Proposed Action is a Type II action pursuant to Section 617.5(c)(1), (2) and (8) of the SEQRA Regulations;

THEREFORE, BE IT RESOLVED, that the Board of Education of the New Paltz Central School District is hereby designated lead agency under SEQRA for the Proposed Action; and

BE IT FURTHER RESOLVED, that the Board of Education hereby determines that the emergency repairs in the nature of the replacement of the sand filter distributors at the septic system for the New Paltz High School is a Type II action pursuant to Section 617.5(c)(1), (2) and (8) of the SEQRA Regulations and will not have a significant adverse impact on the environment, and that no further review of the Proposed Action is required.

13.6 Request for Approval of Emergency Declaration for the Septic System Repairs at New Paltz High School

WHEREAS, the School District is in receipt of a report from CSArch Architecture/Engineering/Construction Management advising that the existing sand filter distributors for the septic system at New Paltz High School are in need of replacement

and presents a direct risk of failure and requires removal and replacement with associated work in order to properly safeguard the occupants of the building; and

WHEREAS, this condition threatens the health, safety and welfare of the students and employees of the district;

WHEREAS, the Board of Education is in receipt from its architect an approximate cost to perform the necessary septic system removals and replacement to the High School; and

WHEREAS, the Board of Education has identified the availability of up to \$200,000 in the General Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education declares the septic system repairs and associated work at the New Paltz High School to be an emergency; and

BE IT FURTHER RESOLVED, that the Board of Education authorizes the removal and replacement of the sand filter distributors along with associated work as an ordinary contingent expense of the Board and authorizes the Superintendent, or her designee, to take the necessary legal steps to remove and replace the affected portion of the sand filter distributors along with associated work; and

BE IT FURTHER RESOLVED, that the Board of Education hereby authorizes the transfer of up to \$200,000 from General Fund to the capital line to perform the removal and replacement of the sand filter distributors along with associated work at the New Paltz High School as an ordinary contingent expense of the School District.

13.7 Request for Approval of Payment for Mileage

Recommendation – that the following resolution be approved: BE IT RESOLVED that the Board of Education of the New Paltz Central School District, upon the recommendation the Audit Committee, hereby approves the payment of mileage reimbursement to Justin Finnegan for the 2009-2010 school year in the amount of \$508.10 for speech/hearing services. Any future claims submitted after the books are closed will not be approved for payment.

All in favor with none opposed. Motion carried 7-0.

Motion made by Mr. Greenfield and seconded by Ms. Tobin Flusser to approve the following resolution:

13.3 Request for Approval to Accept Donation

Recommendation –that the Board of Education approve the following resolution: BE IT RESOLVED that the Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby accept the donation from The Thomas and Corinne Nyquist Foundation in the amount of \$1,000 to be used for an organic vegetable garden and directs the District Clerk to send a letter of appreciation from the Board of Education to The Thomas and Corinne Nyquist Foundation for this donation.

All in favor with none opposed. Motion carried 7-0.

Motion made by Mr. Rich and seconded by Mr. Torres to approve the following resolution:

13.4 Request for Approval to Establish Student Scholarship Award

Recommendation – that the following resolution be approved: BE IT RESOLVED, that the Board of Education of the New Paltz Central School District, upon the recommendation of Superintendent Maria C. Rice, does hereby approve the establishment of the “Annaveer and Jeremiah R. O’Leary Memorial Scholarship” in the amount of \$200.00, and directs the District Clerk to send a letter of appreciation from the Board of Education to Richard and Susan Sherburne for funding this scholarship.

All in favor with none opposed. Motion carried 7-0.

FINANCIAL REPORTS – Removed from the Agenda

President Kerr gave a directive to refer the budget transfer schedules and treasurer’s reports to the Audit Committee for their review.

FINANCIAL REPORTS

OTHER DISCUSSION - None

OTHER DISCUSSION

PUBLIC COMMENTS - None

PUBLIC COMMENT

EXECUTIVE SESSION

EXECUTIVE SESSION

Motion made by Mr. Torres and seconded by Ms. Tobin Flusser to move into Executive Session at 10:43 PM to discuss the employment history of particular individuals, and to discuss contract negotiations (collective bargaining agreements).

Motion carried 7 - 0 with 7 members voting.

BOARD MEMBERS PRESENT: Kathleen Tobin Flusser
Steven Greenfield
Donald Kerr
Patrick Rausch
Robert Rich
Edgar Rodriguez
Daniel Torres

QUORUM CHECK

ALSO PRESENT: Maria Rice, Superintendent

Out of Executive Session

RETURN PUBLIC SESSION

Motion made by Mr. Torres and seconded by Mr. Kerr that the Board return to Public Session at 11:35 PM. Motion carried 7 - 0 with 7 members voting.

ADJOURN

ADJOURN

Motion made by Mr. Rausch and seconded by Mr. Torres that the Board adjourn at 11:35 PM. Motion carried 7 - 0 with 7 members voting.

Respectfully submitted,

Elena Rae Maskell
District Clerk